

Law Offices of Natan Epstein
Attorney Docket: DE063
Date of Facsimile Transmission: 08/17/06

Amendment

In response to the Final Action, please amend the claims as indicated on the accompanying listing of the amended claims.

Remarks

Although Claims 56 and 57 are indicated as being rejected on the Office Action Summary, these two claims are indicated to be allowable in on pages 8 and 9 of the office action. Accordingly, claims 56-57 are shown as allowed on the preceding page of this response.

Following the Final Action, three independent claims stand rejected: these are Claims 28, 58 and 64. Issue is respectfully taken with the Examiner's rejection.

Claim 28. The Examiner takes the position that Wedell is an extrusion and that it would have been obvious to provide Wedell with a substantially constant cross section to simplify the structure. Firstly, Wedell is clearly not an extrusion. The term extrusion refers both to a method of making an article and also to structure of the resulting article. An extrusion, that is, an article formed by extruding material through a die, is defined as having a substantially constant cross section. Wedell at col. 7, 1.50-59 states that the housing is "compression molded". This is not the same as an extrusion. Providing the housing with a constant cross section is neither suggested nor taught by Wedell alone or in combination with any reference of record, and it is not evident how such a modification would be made to Wedell. Providing an extruded housing as claimed by this applicant is not only a manner of making the housing but also results in a specific structure, namely the substantially constant cross section, which not only simplifies the structure but more importantly allows light fixtures of arbitrary length and varying number of light

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sockets to be easily made, simply by cutting greater or shorter lengths of a longer extrusion having the necessary cross section to define the features of Claim 28. Wedell does not contemplate fixtures of more than one lamp, and consequently no extruded housings of constant cross section are needed or suggested. For this reason, the modification proposed by the Examiner is nothing but a hindsight reconstruction of the prior art based only on the applicant's disclosure. Withdrawal of the rejection of Claim 28 and its dependent claims is respectfully urged.

Claim 58 has been amended by combining thereinto the subject matter of objected to claim 61, thereby placing Claim 61 and its dependent claims in condition for allowance. Claim 61 has been cancelled. This amendment is made for purposes of completeness of the fixture of Claim 58 and not as an admission of non patentability of the rejected claim. The argument made in connection with Claim 28 is equally applicable to Claim 58 as now pending.

Claim 64 has been carefully amended and now also recites a substantially constant cross section of the housing with end caps on opposite housing ends. Claim 64 as amended is believed to patentably distinguish over Wedell and the art of record.

Review and reconsideration of the application in light of the foregoing amendments and remarks is requested. All claims in the application are believed to be in condition for allowance and such action is earnestly solicited.

Respectfully submitted,



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